

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN F. WOODY, JR.,

Plaintiff,

v.

STEPHEN MNUCHIN, et al.,

Defendants.

No. 2:20-cv-2328 TLN AC P

ORDER

Plaintiff, a state prisoner, is proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff has filed an in forma pauperis application and certified prison trust account statement. ECF Nos. 2, 5. Although plaintiff's trust account statement shows he currently has a zero balance, his application states that he has cash in the amount of \$7,150,000.00.<sup>1</sup>

In order to commence an action, plaintiff must file a complaint as required by Rule 3 of the Federal Rules of Civil Procedure and either pay both the \$350.00 filing fee and the \$50.00 administrative fee for a civil action or file an application requesting leave to proceed in forma pauperis.<sup>2</sup> See 28 U.S.C. §§ 1914(a), 1915(a). The court may authorize the commencement of an

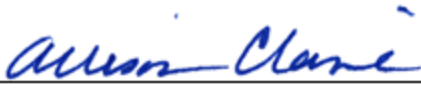
<sup>1</sup> A later filing indicates that plaintiff became the beneficiary of a trust upon the death of his mother in 2011. ECF No. 11 at 3.

<sup>2</sup> Litigants proceeding in forma pauperis are not required to pay the \$50.00 administrative fee.

1 action “without prepayment of fees or security therefor” by an individual who submits an  
2 affidavit evidencing an inability to pay such fees or give security therefor. 28 U.S.C. § 1915(a).  
3 Plaintiff has made an inadequate showing of indigency in the application before the court. He  
4 will therefore be granted twenty-one days in which to submit the appropriate filing fee to the  
5 Clerk of the Court or explain to the court why he cannot pay the fee. Plaintiff is cautioned that  
6 failure to pay the fee or explain why he cannot pay the fee will result in a recommendation that  
7 the application to proceed in forma pauperis be denied and the instant action be dismissed without  
8 prejudice if the fee remains unpaid.

9 Accordingly, IT IS HEREBY ORDERED that, within twenty-one days from the date of  
10 this order, plaintiff shall submit the appropriate filing and administrative fees totaling \$400 to the  
11 Clerk of the Court or explain in writing why he is unable to pay such fees.

12 DATED: January 12, 2021

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14 ALLISON CLAIRE  
15 UNITED STATES MAGISTRATE JUDGE  
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